# PUBLIC INFORMATION

#### This document includes:

Background Information,
Quick Facts and Frequently
Asked Questions about
House Bill 7049 sponsored
by the Judiciary
Committee chaired by
Representative Snyder.

# **Quick Facts:**

#2: The U.S. Department of Health and Human Services lists human trafficking as the second largest and fastest growing criminal industry in the world.

### 700,000 to 2 million:

Number of People Bought and Sold Worldwide Annually as Prostitutes, Domestic Workers, Sex Slaves, Child Laborers and Child Soldiers.

**15,000 – 18,000**: Number of People Trafficked Annually in the United States.

# **OPI Pulse: Human Trafficking**

<u>The Florida House passed House Bill 7049 unanimously on Friday, February 24, 2012.</u>
The bill has been sent to the Senate for consideration.

# **Background**

Worldwide, between 700,000 and 2 million people annually are bought and sold as prostitutes, domestic workers, sex slaves, child laborers and child soldiers. These atrocities are each regarded as forms of "human trafficking." Human trafficking can be used to describe several forms of exploitation of human beings including force, fraud, or coercion for the purpose of sexual exploitation; forced prostitution; or labor exploitation such as domestic servitude, and restaurant, janitorial, sweatshop, factory or migrant agricultural work. Even if the victim is not physically transported from one location to another, the crime can still be considered human trafficking.

According to the United States Department of Health and Human Services, human trafficking is the second largest and fastest growing criminal industry in the world. In the United States, approximately 15,000 – 18,000 people are trafficked annually. In Florida, human trafficking has increasingly become a problem given the state's growing population, geography and proximity to major travel arteries, and high number of visitors every year. Labor trafficking is the most prevalent type of human trafficking occurring in our state. Domestic Minor Sex Trafficking is also prevalent, yet is the most under-reported and under-prosecuted type of human sex trafficking in the state.

In the last decade, the Legislature has worked to enact legislation to fight human trafficking in Florida. In 2004, Florida first passed legislation specifically criminalizing human trafficking making it a second degree felony. This legislation created separate statutes for involuntary servitude, human trafficking in labor, and services and human sex trafficking. In 2006, legislation passed amending Florida's human trafficking laws by expanding the definition of "forced labor and services," criminalizing attempted trafficking, and including human trafficking within the crimes under which a civil remedy is available to the victim.

#### Issue at a Glance

House Bill 7049 – Human Trafficking was first introduced by the House Judiciary Committee as Proposed Committee Bill JDC 12-01. Proponents state the following reasons for the bill:

 Although Florida has several laws addressing human trafficking, each addresses a different aspect of human trafficking. Proponents believe the state's disjointed laws must be combined into a single statute to create uniformity in penalties and address the crime as a whole;

> Representative John Legg Speaker pro tempore Office of Public Information 850.921.7747 PublicInfo@myfloridahouse.gov

# PUBLIC INFORMATION

# **Additional Resources:**

Florida Strategic Plan on Human Trafficking by Florida State University's Center for the Advancement of Human Rights

<u>Cracking Down on Human</u>
<u>Trafficking in Florida</u> by
Attorney General Pam
Bondi and Representative
William Snyder

- Proponents believe Florida's laws and penalties must be increased to protect the state's most vulnerable citizens to ensure they do not fall prey to a modern-day slave trade;
- Proponents call for greater jurisdiction to effectively prosecute crimes of human trafficking; and
- Proponents reference the strengthening of the federal Victims
   Protection Act which occurred in 2008; since the Act's reauthorization,
   several states have strengthened their human trafficking laws but
   Florida is yet to act.

#### What the Bill Does

House Bill 7049 makes the following statutory changes to increase laws and penalties for human trafficking. The bill:

- Eliminates the requirement that human trafficking be "for transport";
- Includes prostitution, pornography and sexually explicit performances in the definition of "commercial sexual activity";
- Increases penalties to first degree felonies;
- Eliminates the requirement that prohibited trafficking of minors for commercial sexual activity be coerced;
- Provides an enhanced penalty to those who traffic minors;
- Provides an enhanced penalty to those who traffic persons who are not legally authorized to work in the United States;
- Increases the penalty for human smuggling from a first degree misdemeanor to a third degree felony;
- Permits a judge to authorize the use of wire, oral, or electronic communications when it may provide evidence of human trafficking; and
- Provides jurisdiction for human trafficking to the Office of the Statewide Prosecutor and to the statewide grand jury

#### **Frequently Asked Questions**

#### How are human trafficking victims coerced to stay?

Traffickers use various techniques to instill fear in victims and to keep them enslaved like keeping their victims under "lock and key." However, the more frequent practice is to use less obvious techniques including:

- Debt bondage financial obligations, honor-bound to satisfy debt;
- Isolation from the public limiting contact with outsiders and making sure that any contact is monitored or superficial in nature;
- Isolation from family members and members of their ethnic and religious community;
- Confiscation of passports, visas and/or identification documents;
- Use or threat of violence toward victims and/or families of victims;
- The threat of shaming victims by exposing circumstances to family;
- Telling victims they will be imprisoned or deported for immigration violations if they contact authorities; and

Representative John Legg
Speaker pro tempore
Office of Public Information
850.921.7747
PublicInfo@myfloridahouse.gov

# PUBLIC INFORMATION

<u>Click here</u> to view the full bill text of House Bill 7049.

 Control of the victims' money, e.g., holding their money for safekeeping

## What are the federal laws on human trafficking?

Prior to 2000, no comprehensive federal law existed to protect victims of trafficking or to prosecute their traffickers. In 2000, Congress passed the Trafficking Victims Protection Act to:

- Make human trafficking a federal crime; and
- Stop human trafficking domestically and overseas, protect victims and prosecute those involved in human trafficking under federal law
   In December 2008, the William Wilberforce Trafficking Victims Protection
   Reauthorization Act of 2008 was enacted, which added to the tools available to prosecute traffickers and increased protection and services for victims.

#### How big of a problem is human trafficking in Florida?

Florida is the third most popular American destination for human traffickers. Due to the agricultural nature of Florida, it has been known for many years that human trafficking for labor in fields is an issue. Additionally, as a tourism-based economy, Florida is also a place for labor trafficking to work in restaurants, country clubs and hotels, as this is the most prevalent type of human trafficking that occurs in the state. Sex trafficking, including domestic minor sex trafficking, is also a significant problem and is the most under-reported offense.

For more information, please read <u>Florida Strategic Plan on Human</u> <u>Trafficking</u> by Florida State University's Center for the Advancement of Human Rights (CAHR).

Representative John Legg Speaker pro tempore Office of Public Information 850.921.7747 PublicInfo@myfloridahouse.gov